

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2016 SEP -2 AM 9:18

UNITED STATES OF AMERICA

v.

KIRKSTON BERNARD SMITH

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CASE NO. 1:16-CR-0034-O-BL-2

DEPUTY CLERK 

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

**KIRKSTON BERNARD SMITH** by consent, under authority of United States v. Dees, 125 F.3d 261 (5<sup>th</sup> Cir. 1997), has appeared before me pursuant to Fed. R. Crim. P. 11, and has entered a plea of guilty to the Superseding Information. After cautioning and examining **KIRKSTON BERNARD SMITH** under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offenses charged are supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted and that **KIRKSTON BERNARD SMITH** be adjudged guilty and have sentence imposed accordingly.

Date: September 2, 2016.

  
E. SCOTT FROST  
UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).